

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DEVONTE KING,

Plaintiff,

vs.

STATE OF NEBRASKA, CITY OF  
NORTH PLATTE NE, and TOBY  
SMITH, Police,

Defendants.

**8:21CV445**

**MEMORANDUM  
AND ORDER**

Plaintiff filed his Complaint in this matter on November 22, 2021, while he was incarcerated. (Filing 1.) The court granted him leave to proceed in forma pauperis on December 9, 2021, also while he was incarcerated. (Filing 7.) In one of Plaintiff's other cases in this court—*King v. State of Nebraska*, No. 8:21CV441, Filing 9 (Jan. 27, 2022)—the court was advised that Plaintiff has been released from the Lincoln County Detention Center.

Since Plaintiff is apparently no longer incarcerated, he must now file a new application for leave to proceed in forma pauperis if he wishes to continue pursuing this case in forma pauperis. Plaintiff may, in the alternative, pay the court's \$402.00 filing and administrative fees.

IT IS THEREFORE ORDERED that:

1. Plaintiff must either file a new request for leave to proceed in forma pauperis or pay the court's \$402.00 filing and administrative fees within 30 days. Failure to take either action will result in dismissal of this matter without further notice to Plaintiff.

2. The clerk of the court is directed to send to Plaintiff the Form AO 240, “Application to Proceed Without Prepayment of Fees and Affidavit,” as well as a copy of this Memorandum and Order to his mailing address as it appears on page (2) of his Complaint: 1321 W. Main Street #514, Sterling, CO 80751.

3. The clerk of the court is directed to set a pro se case management deadline with the following text: **April 4, 2022**: deadline for Plaintiff to file new IFP application or pay filing fee.

DATED this 3rd day of March, 2022.

BY THE COURT:



Richard G. Kopf  
Senior United States District Judge